

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
NOVEMBER 27, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor John Curry, Harvest Christian Center, followed by the Pledge of Allegiance to the Flag of the United States of America. The following presentations were made.

1. Christmas Tree in Lights Day - 12/1
2. Celebration from the City of El Paso for the Association of the United States Army
3. Inclusive School Week
4. Home for the Holidays
5. Operation Clean Sweep

.....
Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the Approval of Minutes for Regular City Council Meeting of August 14, 2001, Special City Council Meeting Minutes of August 29, 2001, November 5, 2001 and November 9, 2001.

Ms. Lisa Turner, citizen, questioned why it had taken so long to get the Minutes approved.

Ms. Carole Hunter, City Clerk, stated that the City Clerk's office has been inundated with other items such as the tax rollback petition, etc.

Ms. Turner remarked that the City Clerk's office was short staffed. She asked why the City Clerk's office did not have sufficient staff.

Representative Cook responded that when he had first taken office the Minutes were nine months behind. He stated that the City Clerk's office has done a wonderful job in catching up with the Minutes.

Mayor Raymond C. Caballero remarked that the lack of personnel in the City Clerk's office would be addressed at the next budget hearing meetings.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the Minutes for Regular City Council Meeting of August 14, 2001, Special City Council Meeting Minutes of August 29, 2001, November 5, 2001 and November 9, 2001.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

WHEREAS, County Judge Dolores Briones' administration is centered on improving outcomes for children and families as exemplified by the creation of "Strong Families, Strong Future"—an initiative that empowers families, in an all-encompassing way by focusing on factors that contribute to family self-sufficiency and family success; and,

WHEREAS, "Strong Families, Strong Future" improves County government with one guiding question: "Does this strengthen families?"; and,

WHEREAS, the Domestic Relations Office (a newly formed department selected by the Texas Supreme Court as its statewide model for providing access to justice through an array of services that enable families to cope with the aftermath of divorce and child support issues) and the CASASTART Program (a national model for the prevention of alcohol and substance abuse established in the East Montana Vista area) exemplify what local government can accomplish when services are reconfigured to truly strengthen families to succeed; and,

WHEREAS, County Judge Dolores Briones also created a "Strong Families, Strong Future" Advisory Council composed of community leaders, the business sector, the churches, schools, and civic organizations who understand our community's needs, are committed to strengthening families, and will set forth strategies and goals to challenge us to make El Paso a better place for families; and,

WHEREAS, last year "Strong Families, Strong Future" brought to El Paso its first National Family Week celebration to recognize the role of families and their contributions to our community; and,

WHEREAS, this year, National Family Week's theme is "El Paso's Celebration of Family, Unity, Peace, and Heritage." El Paso County partnered with the Hispanic Leadership Institute to coordinate county-wide events to celebrate our community's diverse cultural background. During these festivities, we also stand united as El Pasoans and as Americans to remember the families who were innocent victims of the September 11th terrorist attacks.

NOW, THEREFORE, BE IT RESOLVED, by the El Paso County Judge and Commissioners' Court that November 25 through December 2, 2001 be designated as

"El Paso's Celebration of Family, Unity, Peace, and Heritage"

Ms. Melodya Salaices, Director of Policy Implementation with County Judge Dolores Briones, remarked that this is El Paso's second National Family Week, the theme for this year is "El Paso's Celebration of Family, Unity, Peace and Heritage." She stated the County has partnered with the Hispanic Leadership Institute to bring to the community a week filled with activities and celebrations that are free to the public and foster family unity and that the County has also partnered with the School Districts. She discussed the events to be held. She added that the parade for the event would not interfere with the parade for the tree lighting

1604

ceremony. She stated that she hoped Council Members would come and participate in the parade and to show the community that the City and County stand united.

Representative Sumrall questioned whether the other members of the Commissioner's Court would be involved.

Ms. Salaices responded yes.

Representative Sumrall asked Ms. Salaices to mention the other County Commissioner's names in her other presentations.

Ms. Salaices presented Council Members with t-shirts and mentioned other individuals from the County's office and other agencies.

Ms. Margarita Sanchez, Hispanic Leadership Institute, invited the Council Members to the parade.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$40,000.00 (Violence Against Women Act funds) for the purpose of obtaining training, equipment and supplies for the Domestic Abuse Response Team of the El Paso Police Department; no matching funds required. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$42,599.00 (Violence Against Women Act funds) for the purpose of continuing the Domestic Abuse Response Team of the El Paso Police Department and obtaining training, equipment and supplies for the team; matching funds required in the amount of \$26,620.00 and an in-kind match required in the amount of \$6,382.00. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$61,457.00 (Victims of Crime Act funds) for the

purpose of continuing the Victim Services Response Team (grant number VA13590-03) of the El Paso Police Department; matching funds required in the amount of \$9,771.00 and an in-kind match required in the amount of \$6,517.00. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

Mr. Arthur Ward, citizen, commented on the number of deaths attributed to the El Paso Police Department.

Mayor Raymond C. Caballero responded that excessive use of force is abhorred by Council Members and hoped that the Police Department shared the same view. He stated the grant application is further evidence of the concern for victims.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application for funding over two fiscal years to the Office of the Attorney General of Texas under the Victims' Assistance Discretionary Grant program in the amount of \$76,675.00 for FY02 and \$110,763.00 for FY03 for a total of \$187,438.00, to expand the Victim Services Response Team of the El Paso Police Department; no matching funds required. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application for funding over two fiscal years to the Office of the Attorney General of Texas under the Victims' Assistance Discretionary Grant program in the amount of \$262,716.00 for FY02 and \$364,008.00 for FY03 for a total of \$626,724.00, to expand the Victim Services Response Team of the El Paso Police Department with two case managers per regional command; no matching funds required. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

NOTE: Resolution was revised to read "That the Mayor be authorized to sign and submit a grant application for funding over two fiscal years to the Office of the Attorney General of Texas under the Victims' Assistance Discretionary Grant program in the amount of \$262,716.00 for FY02 and \$364,008.00 for FY03 for a total of **\$626,724.00**, to expand the Victim Services Response Team of the El Paso Police Department with two case managers per regional command; no matching funds required."

.....

***RESOLUTION**

WHEREAS, the Texas State Library and Archives Commission (TSLAC) has established the Loan Star Libraries Program, which provides base grants and matching grants to eligible public libraries in the State; and

WHEREAS, the El Paso Public Library may qualify for participation in the base-grant and matching-grant funding by joining the TexShare Card Program by November 30, 2001; and

WHEREAS, the TexShare Card Program is a statewide resource sharing consortium designed to enhance library services for Texas institutions of higher education and public libraries; and

WHEREAS, under the TexShare Card Program an eligible patron may use the collections of any TexShare library on site and, upon completion of the borrower's agreement and with proper identification, borrow materials from such library; and

WHEREAS, the El Paso Public Library desires to apply to the TSLAC for participation in the TexShare Card Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Public Library ("the Library") be authorized to sign the application for participation in the TexShare Card Program of the Texas State Library and Archives Commission in order to qualify the Library for eligibility for base-grant and matching-grant funding of the Loan Star Libraries Program. The TexShare Card Program allows eligible patrons to use the collections of any TexShare library on site and, upon completion of the borrower's agreement and with proper identification, to borrow materials from such library. Any matching-grant funds received by the Library under the Loan Star Libraries Program shall not require allocation or expenditure of additional funds by the City and shall be used to cover Library operating expenses.

***RESOLUTION**

WHEREAS, the International Municipal Lawyers Association (IMLA) and the American Society of Composers, Authors and Publishers (ASCAP) have proposed a Model License Agreement for the use of copyrighted music to be performed at public events sponsored by local governments; and

WHEREAS, the City's adoption of the Model License Agreement would be an efficient and economical means to access copyrighted music because adoption of the agreement would avoid the necessity of separate licensing agreements with various composers, and

WHEREAS, ASCAP represents the rights to musical compositions by artists such as Irving Berlin; Stevie Wonder; Bruce Springsteen; Stephen Sondheim; Leonard Bernstein; Madonna; Duke Ellington; Tito Puente; Garth Brooks and Henry Mancini to name a few; and

WHEREAS, upon execution and submission of the Model License Agreement to ASCAP before January 15, 2002, ASCAP agrees to waive any possible claims against the City for copyright infringement due to unauthorized performance of protected music, occurring prior to the effective date of the agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Model License Agreement by and between the City of El Paso and the American Society of Composers, Authors and Publishers (ASCAP) and that the payment of

Four Thousand Fifty and No/100 Dollars (\$4,050.00) in licensing fees is authorized pursuant to Schedules A and C as required in the agreement for a one (1) year term. If necessary, the City shall also pay Schedule B license fees in accordance with the agreement as gross revenue for special events is determined.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 51010281, 501011

1. **CONTRACTOR:** Robert Hall, Lifeguard II, Step 1
 DATES: November 12, 2001 thru September 30, 2002
 RATES PER HR: \$6.40
 CONTRACT NO: 2001/2002-157

2. **CONTRACTOR:** Omar Ramirez, Pool Attendant, Step 2
 DATES: November 19, 2001 thru September 30, 2002
 RATES PER HR: \$5.60
 CONTRACT NO: 2001/2002-158

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CAROLINA RECREATION CENTER

NO. 51510073, SUB-OBJECT 502214

1. **CONTRACTOR:** Rebecca Becerra, Aerobics (Bodyworks) Instructor
 DATES: December 1, 2001 thru February 28, 2002
 RATE PER CL: \$15.70
 MAXIMUM AMT: \$1,020.00
 CONTRACT: 2001/2002-078

2. **CONTRACTOR:** Gonzalo Delgado, Boxing Program Instructor
 DATES: December 1, 2001 thru February 28, 2002
 RATE PER CL: \$7.90
 MAXIMUM AMT: \$774.20
 CONTRACT: 2001/2002-079

3. **CONTRACTOR:** Judith Marcus, Ballet Instructor
 DATES: December 1, 2001 thru February 28, 2002
 RATE PER CL: \$11.80
 MAXIMUM AMT: \$613.60

CONTRACT: 2001/2002-080

4. CONTRACTOR: Daniel Dallas Puente, Basketball Referee
DATES: December 1, 2001 thru February 28, 2002
RATE PER GM: \$8.00
MAXIMUM AMT: \$384.00
CONTRACT: 2001/2002-081

5. CONTRACTOR: Virginia Quiñonez, Aerobics Instructor
DATES: December 1, 2001 thru February 28, 2002
RATE PER CL: \$6.90
MAXIMUM AMT: \$441.60
CONTRACT: 2001/2002-082

6. CONTRACTOR: Miguel Reyes, Karate Instructor
DATES: December 1, 2001 thru February 28, 2002
RATE PER CL: \$5.90
MAXIMUM AMT: \$495.60
CONTRACT: 2001/2002-083

7. CONTRACTOR: Consuelo Sanchez, Aerobics Instructor
DATES: December 1, 2001 thru February 28, 2002
RATE PER CL: \$8.80
MAXIMUM AMT: \$228.00
CONTRACT: 2001/2002-084

8. CONTRACTOR: Louie Weir, Basketball Referee
DATES: December 1, 2001 thru February 28, 2002
RATE PER GM: \$8.00
MAXIMUM AMT: \$384.00
CONTRACT: 2001/2002-085

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Special Event Contract between the City of El Paso, on behalf of the Parks and Recreation Department, and the Inter Club Council of El Paso authorizing the use of Mary Webb Park on February 23, 2002 from 7:00 AM until 5:00 PM for the annual Black History Month parade and celebration.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council authorizes the Mayor to sign a co-sponsorship agreement between the CITY OF EL PASO and PROJECT BRAVO to conduct a Youth Empowerment Breakfast for approximately 125 teenagers on December 8, 2001 at the San Juan Senior Center.

Representative Sumrall questioned which Department would be paying for the breakfast.

Mr. Charles Nutter, Director of the Parks & Recreation Department, explained that there were no City monies involved. The Parks & Recreation Department was co-sponsoring the event only to provide the location for the event.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Lease Agreement between the City of El Paso and J.C. and G.D. Investment Company, Inc. to rent the Ball Room located at The Cortez on the Plaza for a Tree Lighting Party on December 1, 2001.

Representative Sumrall wondered what the cost was and which City Department was paying for this. Mr. Charles Nutter, Director of the Parks & Recreation Department, explained that no City monies were being spent, the Candlelighters would be paying the costs.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to set a public hearing to be held on January 3rd, 2002 to determine if the property located at 8035 Crawford Court in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Ollis Crawford, Coronado Nursing Home, 223 South Resler, El Paso, Texas 79912, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to approve the installation of guardrail at 3300 Edgerock Drive. Cost estimate is \$942.43.

.....
*Motion made, seconded and unanimously carried to approve the request that the Director of Purchasing be authorized to purchase additional quantities at the same unit price, pursuant to the terms and conditions of Contract 2002-009, with Medtronic Physio-Control Corporation, Redmond WA., for Automated External Defibrillators.

Option No.:	ONE [OF ONE]	
Bid No.:	2002-009	Automated External Defibrillators
Amount of award:		\$25,000.00
Account available:		27165 - Account 508007 Project PMB00001130
Funding source:		Capital Funds - Medical/Scientific Equipment
Department:		OMB - Fire

.....
*Motion made, seconded and unanimously carried to approve the request to fill the position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Recreation Leader III (1)

Motion made, seconded and unanimously carried to move to the Regular Agenda the Staffing Table Change for Police.

Ms. Lisa Turner, citizen, questioned why positions were being created and then deleted.

Ms. Lyn Golden-Price, El Paso Police Department, stated that the Police Department was moving positions from one budget code to another, as an organizational change.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the Staffing Table Change for Police

Add	5.0	Property & Evidence Specialist	GS16
Add	2.0	Property Disposition Specialist	GS20
Delete	5.0	Property & Evidence Specialist	GS16
Delete	2.0	Property Disposition Specialist	GS20
Add	1.0	Police Evidence and Supply Supervisor	GS23
Delete	1.0	Police Evidence & Supply Supervisor	GS23
Add	1.0	Photographic Lab Technician I	GS15
Add	1.0	Photographic Lab Technician II	GS22
Delete	1.0	Photographic Lab Technician I	GS15
Delete	1.0	Photographic Lab Technician II	GS22
Add	1.0	Clerk Typist III	GS13
Delete	1.0	Clerk Typist III	GS13
Add	1.0	Secretary II	GS16
Delete	1.0	Secretary II	GS16
Add	1.0	Court Liaison Clerk	GS15
Delete	1.0	Court Liaison Clerk	GS15
Add	1.0	Court Liaison Supervisor	GS17
Delete	1.0	Court Liaison Supervisor	GS17
Add	1.0	Department Research Assistant	PM71
Delete	1.0	Department Research Assistant	PM71

Motion made, seconded and unanimously carried to move to the Regular Agenda the Staffing Table Change for Health

Ms. Lisa Turner, citizen, asked why positions were being created and then deleted.

Mr. Edward Munoz, Health Department, responded that the Health District was placing the Medical Aide positions in the departments in which the individual would be working in.

Motion made by Representative Medina, seconded by Representative Cobos and unanimously carried to approve the Staffing Table Change for Health

Add	.75	Medical Assistant	GS15
Delete	.75	Medical Aide	GS13
Add	1.80	Medical Assistant	GS15

Delete	1.80	Medical Aide	GS13
Add	.20	Medical Assistant	GS15
Delete	.20	Medical Aide	GS13
Add	4.0	Clerk II	GS9
Delete	4.0	Community Service Aide	GS9
Add	1.0	Clerk III	GS13
Delete	1.0	Senior Community Service Aide	GS13
Add	2.25	Medical Assistant	GS15
Delete	2.25	Medical Aide	GS13

.....
 *Motion made, seconded and unanimously carried to delete the request to remove Paul Strelzin from the Cable Communications Commission by Representative Jan Sumrall.

.....
 *Motion made, seconded and unanimously carried to re-appoint Francisco J. Quintana to the Electrical Board of Appeals by Representative Escobar.

.....
 *Motion made, seconded and unanimously carried to re-appoint Mace Lomeli to the Plumbing and HVAC Board of Appeals as an Alternate and a Public Member by Representative Cook.

.....
 *Motion made, seconded and unanimously carried to appoint Johnny Kilgore to the Electrical Board of Appeals (Journeyman Electrician) by Representative Sumrall.

.....
 *Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #U819-999-002B-0372, \$863.89 per month installments on a balance of \$10,366.68 for 1998, 1999 & 2000 taxes; Michel Wolfe – 4631 Emory Rd.
- B. PID #1998-999-1213-0034, \$355.26 per month installments on a balance of \$2,131.56 for 1998, 1999 & 2000 taxes; C & C Auto Parts % Lauro Bond – 1913 Magoffin Ave.
- C. PID #M579-999-0020-0600, \$269.64 per month installments on a balance of \$3,235.68 for 1998, 1999 & 2000 taxes; Carlos Pinales, Jr. & Patricia Aguirre – 9900 La Morenita.
- D. PID #L681-999-0330-1900, \$401.47 per month installments on a balance of \$4,817.64 for 1998, 1999 & 2000 taxes; Ramon & Martha Isais – 612 Cardon St.
- E. PID #C878-000-0100-0030, \$234.22 per month installments on a balance of \$2,810.64 for 1999 & 2000 taxes; Jose & Hilda Arzola – 750 Milo.
- F. PID #E131-999-0060-3200, \$1,572.13 per month installments on a balance of \$9,432.78 for 1999 & 2000 taxes; Steve Denman – 1046 East Side Rd.
- G. PID #E222-999-1220-1100, \$513.63 per month installments on a balance of \$3,081.78 for 1999 & 2000 taxes; Bertha B. Wrencher – 10320 Camwood.
- H. PID #A486-000-0010-0010, \$275.72 per month installments on a balance of \$4,692.96 for 1996, 1997, 1998, 1999 & 2000 taxes; Domingo R. & Maria S. Chavez – 267 Nooch Rd.
- I. PID #H012-999-0120-4300, \$360.04 per month installments on a balance of \$4,320.48 for 1998, 1999 & 2000 taxes; Pablo O. & Margarita M. Nevarez – 7743 Monterrey Dr.
- J. PID #C231-999-0280-6250, \$365.50 per month installments on a balance of \$4,386.00 for 1999 & 2000 taxes; Larry J. Vasquez – 4401 General Maloney Cir.
- K. PID #R457-999-0030-0700, \$558.33 per month installments on a balance of \$6,699.96 for 1999 & 2000 taxes; Guadalupe P. & Raquel Guzman – 4308 Park Hill.

*Motion made, seconded and unanimously carried to postpone two (2) weeks Bid No. 2001-228 Forensic Computer Software

Award to: Vendor (1): Guidance Software, Inc.
Pasadena, CA
Item: 1
Amount: \$1,995.00 (Estimated)

Award to: Vendor (2): AccessData Corporation
Provo, UT
Item: 2
Amount: \$1,395.00 (Estimated)

Award to: Vendor (3): New Technology, Inc.
Gresham, OR
Item: 3
Amount: \$135.00 (Estimated)

Department: El Paso Police Department
Funds available: 21150060-P500231-16371
Funding source: Treasury Confiscated Funds
Total Amount: \$3,525.00 (Estimated)

The El Paso Police and Purchasing Departments recommend awards as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a six (6) month requirements-type contract, to purchase Forensic Computer Software for the Police White Collar Crime Unit. Item 1 is a software program that enables the non-invasive recovery of all existing information on a computer drive, including deleted files and hidden files. Item 2 is a software program that will open encrypted (password protected) files. Item 3 is a software program that searches and documents the occurrence of text stored on a computer drive.

The Contract will officially begin at 12:01 a.m., November 28, 2001. No prompt payment discount offered.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-295 K/A Band Radar Units (Rebid)

Award to: Kustom Signals, Inc.
Lenexa, Kansas
Item: 1
Amount: \$23,940.00

Department: Police
Funds available: 27203 Project PMB0002130
Funding source: Capital FY01
Total Amount: \$23,940.00

Police Department and Purchasing recommend awards as indicated as these vendors are the responsible and responsive bidder meeting specifications.

This is a one time purchase. In addition, the bidders offer the option to purchase 100% of the original quantities, at the same unit prices for one (1) additional year.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-002 Automated Irrigation Improvements

Contractor: Martinez Irrigation & Landscapes, Inc.
El Paso, Texas

Department: Parks & Recreation
Funds Available: 51000-71150069-G7127CD0016-07640-508027
Funding Source: CD
Items: Base Bid I \$295,483.00
Alternate No. 1 \$ 16,460.00
Total Award: \$311,943.00

The Purchasing Department recommends the award of this contract to Martinez Irrigation & Landscapes, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-019 Furnish & Install Parking Fee Computer System

Award to: SimplexGrinnell Fire Protection
El Paso, TX

Item: All
Amount: \$35,496.00

Department: Department of Aviation
Funds available: 62620020-508008-P500004-41022
Funding source: Airport Capital Funds
Total amount: \$35,496.00

The Department of Aviation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, for the purchase and installation of one parking fee computer system, at the El Paso International Airport

There is one option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract.

Vendor does not offer a prompt pay discount.

.....

Motion made, seconded and unanimously carried to move to the Regular Agenda the request of the Delta Battery 2nd Battalion 14th Marines to hold the Toys for Tots Bike Run on December 9, 2001 from 11:00 a.m. to 2:00 p.m. Route: Start at 4810 Pollard , proceed on Hayes, Dyer, Fred Wilson, Railroad, McCombs, Loop 375 East to Montana, to Hawkins, Edgemere and finish at 1225 Airway Blvd. Approximately 600 persons and 500 motorcycles will participate. Request waiver of fees for \$15.75 for processing of application and fees for police traffic assistance. Signed affidavit submitted. PERMIT NO. 01-160.

Representative Sumrall questioned the reduction in police officers supervising an event when the City co-sponsors events.

Ms. Lyn Golden-Price, El Paso Police Department, responded that the Department was asked to re-evaluate the original number of police officers, independent of whoever was paying for the event. She stated the Department re-evaluated the number of officers and determined that 18 officers would be able to monitor the event. She stated that perhaps the Department errs on the side of caution when large numbers of people would be present.

Representative Sumrall asked that the number of officers be re-evaluated several times before presenting the event to Council Members.

Representative Medina stated that Representative Sumrall's observation was well noted. He recommended that the Police Department revisit the formula that they use when evaluating parade requests.

Ms. Carole Hunter, City Clerk, added that the amount sent by the Police Department is an "estimate" and not a final calculation. She noted that there have been instances when the dollar amounts have been reduced significantly at the time of the billing.

Ms. Rita Rodriguez, City Attorney, remarked that the additional sponsor was the City of El Paso as noted in the contract.

Mayor Raymond C. Caballero stated that this is a wonderful event.

A member of the Delta Battery 2nd Battalion gave his thanks to Council Members.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the request of Delta Battery 2nd Battalion 14th Marines to hold the Toys for Tots Bike Run on December 9, 2001 from 11:00 a.m. to 2:00 p.m. Route: Start at 4810 Pollard , proceed on Hayes, Dyer, Fred Wilson, Railroad, McCombs, Loop 375 East to Montana, to Hawkins, Edgemere and finish at 1225 Airway Blvd. Approximately 600 persons and 500 motorcycles will participate. PERMIT NO. 01-160.

NOTE: Motion was revised to exclude the following language: "Request waiver of fees for \$15.75 for processing of application and fees for police traffic assistance. Signed affidavit submitted".

*Motion made, seconded and unanimously carried to approve the request of Jose R. Sanchez to block off the 900 block of St. Vrain on December 15, 2001 from 4:00 p.m. to 9:00 p.m. and December 16, 2001 from 8:30 a.m. to 9:00 p.m. for a matachines dance/block party. Approximately 80 persons will take part and 40 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices".

*Motion made, seconded and unanimously carried to approve the request of Maria I. Rodriguez to block off 5632 – 5713 Edinburg between Alcan and Kensington on December 1, 2001 from 4:00 p.m. to 8:00 p.m. for a block party. Approximately 25 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices".

.....
*Motion made, seconded and unanimously carried to approve the request of Maria Eva Guadalupe to block off Montgomery between Wren and Joe Herrera on December 2, 2001 from 2:00 p.m. to 6:00 p.m. for a block party. Approximately 100 persons will take part and 100 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices".

.....
ORDINANCE 14982

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO REDUCE THE SPEED ON CERTAIN SECTIONS OF INTERSTATE HIGHWAY 10. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Escobar, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14983

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO REDUCE THE SPEED ON CERTAIN SECTIONS OF DON HASKINS DRIVE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Escobar, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14984

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO CONVENTION PERFORMING ARTS CENTER IN CONJUNCTION WITH THE ASSOCIATION OF THE UNITED STATES ARMY TO TEMPORARILY CLOSE A PORTION OF DURANGO STREET FROM SAN ANTONIO AVENUE TO SAN FRANCISCO AVENUE FOR THE DISPLAY OF MILITARY VEHICLES FROM DECEMBER 2, 2001 THROUGH DECEMBER 6, 2001**

Motion duly made by Representative Cobos, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised to read "the El Paso Convention Performing Arts Center" instead of "El Paso Convention Center".

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01026, FOR LOT 2, BLOCK 1, MONTANA & LEE COMMERCIAL DISTRICT, EL PASO, EL PASO COUNTY, TEXAS (11346 MONTANA AVENUE), PURSUANT TO A CONTRACT CONDITION.

WHEREAS, **Carlos S. Cisneros** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition to permit the construction and development of a mechanic and body work shop; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a mechanic and body work shop on the following described property, which is located in a C-4/sc (Commercial/special contract) District:

Lot 2, Block 1, MONTANA & LEE COMMERCIAL DISTRICT, El Paso, El Paso County, Texas, and municipally known and numbered as 11346 Montana Avenue.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission is attached hereto as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-4/sc (Commercial/special contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-4/sc (Commercial/special contract) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Power asked Ms. Patricia Adatao, Director of Planning, whether there were any objections to the site plan.

Ms. Adatao responded no and explained that the current zoning requires a Detailed Site Development Plan and the Planning Department recommends approval.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to reject Bid No. 2001-223 Tactical Body Armor as recommended by Purchasing and the Police Department.

This requirement will be reviewed by the user department, a new solicitation will be issued at a later time.

*Motion made, seconded and unanimously carried to delete the public presentation of the Municipal Strategic Plan for El Paso, Texas as submitted by the Executive Team and approved by the El Paso City Council.

Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance that the Mayor be authorized to sign and accept an easement for the installation of a traffic signal located at the intersection of George Dieter Drive and Pendale Road. (District 6)

PUBLIC HEARING TO BE HELD DECEMBER 11, 2001 FOR ITEM A

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the El Paso Museum of Art, be authorized to apply to the Texas Commission on the Arts Apprenticeship Program for a grant of \$4,000 to fund a 10-week Summer Apprenticeship in the Museum Education department of the Museum, and to accept funding and sign any required contracts. No City funds are required to match this grant.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the El Paso Museum of Art, be authorized to apply to the Texas Commission on the Arts Exhibition Support Program for a \$7,500 grant to assist with exhibition rental fee, shipping costs, and programming developed in association with the traveling exhibition *Stories Your Mother Never Told You: Celia Alvarez Muñoz 1982-2002*, and to accept funding and sign any required contracts. No City funds are required to match this grant.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the El Paso Museum of Art, be authorized to apply to the Texas Commission on the Arts Exhibition Preparation Program for a grant of \$9,000 to fund the preparation of a traveling exhibition of the work of El Paso artist Willie Varela, and to accept funding and sign any required contracts. No City funds are required to match this grant.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the El Paso Museum of Art, be authorized to apply to the Texas Commission on the Arts Exhibition Preparation Program for a grant of \$7,000 to fund the preparation of a traveling exhibition of the work of El Paso artist Sam Reveles, and to accept funding and sign any required contracts. No City funds are required to match this grant.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the El Paso Museum of Art, be authorized to apply to the Texas Commission on the Arts Exhibition Support Program for a \$7,000 grant to fund an exhibition of the work of José Guadalupe Posada, and to accept funding and sign any required contracts. No City funds are required to match this grant.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor is authorized to execute an agreement between the City of El Paso and Toys for Tots for the December 9, 2001, Toys for Tots presentation of toys to El Paso children which constitutes an important public purpose of benefit to the City and citizens of El Paso; and the agreement provides that the City will provide the necessary funds to cover the costs of the on-duty police traffic control assistance, not to exceed twenty-four (24) on-duty police officers and twenty-four (24) vehicles for the parade.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council authorizes the Mayor to sign a co-sponsorship agreement between the CITY OF EL PASO and CHILDREN'S CULTURAL CENTER OF EL PASO, INC. to conduct a Winter Wonderland exhibit at Armijo Recreation Center from December 2, 2001 through December 23, 2001.

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-086 AIRPORT Transfer funds to acquire a new larger shuttle bus to replace two (2) smaller 14-year old worn out units.

Increase	\$135,000	to	62620020/P50000441022/508006	Vehicles
Increase	\$135,000	to	62620020/P50000441022/407001	Intrfund Trf In
Increase	\$135,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$135,000	to	62620018/P50000241021/507001	Intrfund Trf Out

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-087 AIRPORT Transfer of funds to cover additional costs for fencing and security costs as a result of FAA directives and to prepare overflow parking lots for holiday traffic.

Increase	\$15,000	to	62620006/40101/503203	Public Access
Increase	\$15,000	to	62620006/40101/407001	Intrfund Trf In
Increase	\$15,000	to	62620018/P50000241021/507001	Intrfund Trf Out
Increase	\$15,000	to	62620018/P50000241021/407002	Est Rev

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-098 AIRPORT Transfer of funds to cover Environmental Engineering Services to formulate a Storm Water Pollution Prevention Plan.

Increase	\$80,000	to	62620001/40101/502108	Engineering
Increase	\$80,000	to	62620001/40101/407001	Intrfund Trf In
Increase	\$80,000	to	62620018/P50000241021/507001	Intrfund Out
Increase	\$80,000	to	62620018/P50000241021/407002	Est Rev

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-099 AIRPORT Transfer of funds to establish amounts for claims.

Increase	\$10,000	to	62620001/40101/505409	Damage Settlements
Decrease	\$10,000	from	62620001/40101/504405	Contingency

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-113 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same Park Zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 300	to	51159242/P51800004916023/405060	Donations
Increase	\$ 300	to	51159242/P51800004916023/508004	Pub Use Fac
Increase	\$ 300	to	51159242/P51800007716051/405060	Donations
Increase	\$ 300	to	51159242/P51800007716051/508004	Pub Use Fac
Increase	\$63,600	to	51159242/P51800080216141/405060	Donations
Increase	\$63,600	to	51159242/P51800080216141/405060	Pub Use Fac

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

Discussion and action on the following:

A. Alejandro Bocanegra, 01-C-293 (551.071)

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be authorized to settle the claim of **Alejandro Bocanegra, 01-C-293**, as recommended by City Attorney, and that the Mayor and appropriate assistant City Attorney sign all settlement documents.

Representative Medina congratulated Mayor Raymond C. Caballero on the short City Council meeting.

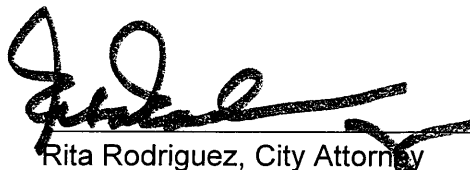
Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to adjourn this meeting at approximately 9:45 a.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Carole Hunter, City Clerk



Rita Rodriguez, City Attorney

